

Passed the Senate, May 12, 1953: Yeas 28, Nays 0; subject to the provisions of Section 49a, Article III, of the Constitution of the State of Texas; passed the House, May 13, 1953: Yeas 137, Nays 0; subject to the provisions of Section 49a, Article III, of the Constitution of the State of Texas.

Approved May 14, 1953.

Effective May 14, 1953.

FRIO RIVER—POLLUTION BY CERTAIN OIL WELLS— PLUGGING OF WELLS

CHAPTER 141

H. B. No. 148

An Act authorizing the State Board of Water Engineers of Texas to plug improperly capped oil wells now flowing salt water into the Frio River from State Lease No. MF 8214 in McMullen County; directing and authorizing the Railroad Commission of Texas to make payment from moneys appropriated to it by Act of the Fifty-second Legislature, Regular Session, 1951; providing the total amount expended under the provisions of this Act shall not exceed the sum equal to the total provided for this Act under House Bill No. 111, Acts, Fifty-third Legislature, Regular Session; repealing all laws and parts of laws in conflict herewith to extent of conflict only; and declaring an emergency.

Be it enacted by the Legislature of the State of Texas:

Section 1. The State Board of Water Engineers of Texas is hereby authorized and directed to forthwith cap or plug any and all improperly plugged oil wells now flowing salt water into the Frio River and contaminating the fresh water supply of Frio River which is being used as a water supply for the City of Calliham and other domestic users, located in McMullen County, and flowing from the lease of A. J. Coyle, assignee of N. C. Rucker, the same being a State lease, and number MF 8214, as recorded in the General Land Office. The State Board of Water Engineers is further authorized to enter into contracts or to contract for labor, equipment, and materials necessary to carry out the provisions of this Act.

Sec. 2. The cost of carrying out the provisions of Section 1, hereof, shall be paid by the Railroad Commission of Texas out of moneys appropriated to the Railroad Commission of Texas for carrying out the provisions of House Bill No. 339, Acts of the Fifty-second Legislature, Regular Session, 1951, and out of moneys derived from receipts from any and all special taxes on crude petroleum as provided by Article 6032, Revised Civil Statutes, 1925, as amended, which receipts are in a Special Fund known as the Oil and Gas Enforcement Fund in the State Treasury, both of which funds were appropriated to the Railroad Commission of Texas by House Bill No. 426, Acts of the Fifty-second Legislature, Regular Session, 1951; and the Railroad Commission of Texas is hereby authorized and directed to make such payment or payments as are necessary to carry out the provisions of this Act when requested to do so by the State Board of Water Engineers; however, the total amount of money authorized to be expended under this Act shall not exceed the sum equal to the total money provided for carrying out the provisions of this Act as appropriated in House Bill No. 111 of the Acts of the Fifty-third Legislature.

Sec. 3. All laws and parts of laws in conflict herewith are repealed to the extent of conflict only.

Sec. 4. The fact that the State of Texas is contributing to the pollution of the Frio River by the discharge of salt water from its own lease into waters used for domestic purposes, and the inadequacies of the present laws to correct this situation and failure of the Railroad Commission of Texas to carry out the provisions of House Bill No. 339, Acts of the Fifty-second Legislature, Regular Session, 1951, create an emergency and an imperative public necessity that the Constitutional Rule requiring bills to be read on three several days in each House be suspended, and said Rule is hereby suspended, and that this Act shall take effect and be in force from and after its passage, and it is so enacted.

Passed by the House, March 25, 1953: Yeas 134, Nays 0, House concurred in Senate amendment, May 5, 1953: Yeas 131, Nays 0; passed the Senate, as amended, April 30, 1953: Yeas 30, Nays 0.

Approved May 14, 1953.

Effective May 14, 1953.

TAX STATUTES—CORRECTIONS

CHAPTER 142

H. B. No. 320

An Act correcting uncertainties and inconsistencies in regard to certain tax statutes; amending Paragraph (3) of Section 1, of main Section I of House Bill No. 628, Chapter 269, Acts of 1945, Forty-ninth Legislature, as compiled in Article 7047(b), Vernon's Texas Civil Statutes; amending House Bill No. 18, Chapter 400, Acts of 1935, First Called Session of Forty-fourth Legislature, as amended, as compiled in Article 1111(d), Vernon's Texas Penal Code; and declaring an emergency.

Be it enacted by the Legislature of the State of Texas:

Section 1. That Paragraph (3) of Section 1, of main Section I of House Bill No. 628, Chapter 269, Acts of 1945, Forty-ninth Legislature, is amended ⁵⁵ to read as follows:

"Section 1.

"(3) All liquid hydrocarbons that are recovered from gas by means of a separator or by other nonmechanical methods, incidental to the production of said gas, shall be taxed at the same rate as oil."

Sec. 2. That House Bill No. 18, Chapter 400, Acts of 1935, First Called Session of Forty-fourth Legislature, as amended, is amended to add ⁵⁶ a new section as follows:

"Section 7a. Establishments and places of business merchandising or selling goods, wares, and merchandise only through coin-operated machines are not covered by provisions of this Act and thereby are not required to pay any tax or fees levied by this Act."

Sec. 3. The fact that this Act is necessary to correct certain uncertainties and inconsistencies in tax statutes creates an emergency and an imperative public necessity that the Constitutional Rule requiring bills to be read on three several days in each House be suspended, and said Rule is hereby suspended, and that this Act shall take effect and be in force from and after its passage, and it is so enacted.

Passed the House, March 25, 1953: Yeas 134, Nays 0, House concurred in Senate amendment, May 6, 1953: Yeas 91, Nays 16; passed the Senate, as amended, April 30, 1953: Yeas 30, Nays 0.

Approved May 14, 1953.

Effective 90 days after date of adjournment.

55. Vernon's Ann.Civ.St. art. 7047b § 1 56. Vernon's Ann.P.C. art. 1111d, § 7a. (3).